Response from the British Retail Consortium, dated 25 February 2015

Voluntary Agreement Regarding the Sale of Electrical Products

Thank you for your recent letter on the voluntary agreement and for sending a copy of the Electrical Safety First report.

The findings of the report were interesting and it is encouraging to see there is recognition that information has improved and "adherence by retailers is generally in line with the stated commitments".

We understand that those members who received direct communication will reply to their specific cases and so this reply from BRC addresses the more general issues.

The agreement

The voluntary agreement was not specific as to how information should be provided to consumers, nor was it time limited. It agreed a form of words that has largely been followed by the retail members who signed up. There are some differences of opinion about which method of communication is the most effective and so BRC members have adopted the approach most suited to their businesses.

It should be noted that many products are "branded" rather than retailer specific and often made to cater for sale in a number of retailers and sometimes a number of countries. Retail can ask for changes but such modifications take time and manufacturers may choose to use wording different from that agreed. Where the information provided by brands has conveyed substantially the same message most retailers have accepted this.

There was no agreement made about training of staff or producing information verbally. In general, this is not considered to be the most effective solution for informing consumers and is not appropriate for all business models. For example staff at a checkout cannot be expected to have detailed knowledge of all the thousands of products passing across their scanners or the time to enter into detailed discussion with consumers.

The survey

The survey highlights interesting findings and gives members some useful pointers to follow up and review their procedures. There are however some details that we would challenge:

- There is no indication that the residents surveyed had any interest in purchasing or installing electrical equipment. It is therefore not unreasonable that many had low awareness of any messaging. The survey itself shows a much higher awareness in those carrying out DIY.

- The use of trained electricians as a sample does not give a realistic picture of the response from consumers. Firstly as they are familiar with products and already competent to install them, they are unlikely to read instructions or product labelling in depth and secondly they have a vested interest in encouraging people to use their services.

- Some of the assertions made such as the fact that labels on packages are the most effective approach do not appear to be substantiated by evidence.

Sale of Electrical Products

Many consumers and DIY enthusiasts are able to competently install products within the legal requirements. Some consumers also purchase products for electricians to install. Before calls are made to restrict sales, it is essential to evaluate the scale of any actual injuries caused by lack of information and whether such a route is desirable or even practical in an era of internet purchases.

Standardisation of the agreement

The agreement is voluntary and currently only applies to those BRC members who chose to participate. Electrical products are purchased from many sources many of which will not use or even know about the suggested text. If a truly standardised approach is to be achieved it would require regulation. Substantial extra activity would be needed to establish whether this route would achieve the desired outcome and whether the cost and complexity would be commensurate with the issue.

Next steps

We would like to suggest that the best way forward would be to arrange a meeting between the retailers who signed the agreement and the Committee. This would provide an opportunity to review the findings of
the report and evaluate whether improvements can be made. Some aspects will take time to work through the system such as packaging changes on imported branded goods.

Please contact Linda Crane <e-mail address supplied> to arrange a suitable time to meet.

Yours sincerely,

Tom Ironside

Director of Business and Regulation
British Retail Consortium
Response from Kingfisher plc, dated 25 February 2014

Thank you for your letter of the 12th February regarding the British Retail Consortium Voluntary Agreement on the sale of electrical products and detailing the Electrical Safety First Report of January 2015.

As detailed in the report, B&Q signed up to the voluntary agreement in 2013 and undertook to include the agreed wording in our, 'How to understand Electrical Regulations' leaflet. This leaflet was updated with the agreed wording and distributed to all stores.

It was disappointing to note that these leaflets were not available when our stores were visited, as detailed in the report. We are taking steps now to ensure that additional leaflets are provided to all our stores. As part of this, we will also make sure that our staff are aware of the importance that they are displayed and made available when needed.

Regarding the wording on products in store, as your survey found, it was included. It is worth noting that the products and the suppliers we use do change regularly so this will be an ongoing process but we will always do our best to ensure that continues to be the case.

Since the voluntary agreement was made, we have recently launched a totally new version of our website, www.diy.com. In addition to our undertakings as part of the agreement, where the report found the information was included, we will continue to review how the approved wording appears in more appropriate, relevant locations on that site. This work will be on-going.

We note that the report recognises that, "adherence to the agreement by retailers is generally in line with the stated commitments". I would suggest that if, as the letter implies, that agreement is sought on additional commitments across retail, this is something that might best be achieved through the British Retail Consortium.

As stated in our previous correspondence, if you ultimately conclude that further work in this area is needed to improve electrical safety, then we believe this would be better done through regulation. This will ensure consistency of approach across the entire sector, including the manufacturing industry which is still where the bulk of product is made, as well as a clear cost benefit analysis for any additional effort required by retailers or manufacturers.

If it is helpful, I would be happy to discuss this further with you. Please do not hesitate to have your office contact me at <e-mail address supplied>.

Yours sincerely

Nick Lakin

Group Head of Government Affairs, Kingfisher plc.
Response from the Home Retail Group, dated 25 February 2015

Thank you for your letter of the 12th February relating to the British Retail Consortium Voluntary Agreement regarding the sale of electrical products.

Home Retail Group companies Argos, Homebase and Habitat all voluntarily signed up to the agreement, and put in place arrangements for the communication of a message to customers based on our assessment of what was appropriate and proportionate.

I have read the report, and the results have been shared with the relevant stakeholders within the Homebase, Habitat and Argos businesses. We welcome the conclusion in the executive summary on page 4, that the provision of information was universally better than before the agreement, but do not agree that the evidence presented in the report supports a conclusion that the measures adopted were “broadly inadequate”.

The report is helpful as an indicator of the effect of the voluntary agreement, two years after it was initiated, and on the basis of the findings we have commenced a review of the measure we adopted to ensure that any issues raised are addressed.

We would be more than happy to meet to discuss the findings of the report.

Yours sincerely

Chris Wermann

Director of Corporate Affairs
Home Retail Group
Thank you for your email about the voluntary agreement on the sale of electrical products.

I would like to make clear that the John Lewis Partnership is supportive of the BRC voluntary code and we welcome this initiative to improve home safety. That said, some of the findings in the report are disappointing and there is clearly more that we can do.

We have focused our attention on our Lighting assortment rather than other electrical ranges. Toasters, kettles, televisions and so on are all plug use appliances. The only other part of our assortment requiring a qualified technician are integrated ovens, hobs and some other large household appliances. We offer an installation service for these products.

In answer to your specific questions:

1. Agreed wording on products
   a. We have introduced clear instructions in all of our own brand (that is to say ‘John Lewis’) stock. The relevant wording reads “Install in accordance with the IEE Wiring regulations and the Building Regulations”.
   b. Whilst we can seek to influence other suppliers, it is not in our power to insist on their compliance.
   c. However, that is not to say that other suppliers ignore this matter. Whilst some will not print explicit messages on the outside packaging, they may include the relevant information on their installation/instruction leaflets.
   d. We will revisit this topic with our suppliers.

2. Guidance on packaging
   a. As stated above, we have introduced the relevant wording to our instruction leaflets for our own brand stock.
   b. We have not seen any detrimental effect on sales since introducing this practice.

3. Staff training
   a. We have issued training guides to all of our department stores but clearly, from the example given in the report, there is more that we can, and will, do.

4. Online information
   a. As the report says, we include this information in our buying guide. The wording reads as follows:

   "All light fittings must be fitted in accordance with the current IEE wiring regulations and building regulations. We recommend you employ a qualified NICEIC-registered electrician, and that the product’s fitting instructions are always followed. We also offer an installation service if you buy lighting in our shops and need it fitted to an existing source. All our installers are NICEIC-trained (National Inspection Council for Electrical Installation Contracting) and are fully able to carry out the work required."

   b. We will review this with our online team.

5. In house customer survey
   a. As mentioned above, John Lewis offers our own fitting service – undertaken by NICEIC trained individuals. We have seen a steady growth in take up of this offer.
b. This might suggest that a growing number of our customers are already appreciating the benefit of having a 'professional' undertake the work.

6. Standardisation

a. Attempting to ‘ensure all consumers sign up …’ is a huge task and not something that falls within the remit of a retailer.

b. However, there would seem to be merit in adopting a standardised approach to labelling.

I hope this information is helpful for your inquiry.

Kind regards,
Charlotte Cool

Group Head of Public Affairs
John Lewis Partnership
Response from Sainsbury’s, dated 27 February 2014

Thank you for giving us the opportunity to respond to the findings of the Electrical Safety First report regarding the BRC’s voluntary agreement on the sale of electrical products. Before turning to your specific questions, it might be useful for me to set out the general provisions of this agreement, in relation to Sainsbury’s products specifically.

In April 2013, the BRC brought together its members, including Sainsbury’s, to voluntarily agree the wording of on-package guidance regarding the installation of applicable wired-in electrical products, informing consumers that they are subject to local building regulations. The placement of these warnings is at the discretion of retailers, depending on various product factors, such as size and packaging.

The agreement also made clear that it was not practical or appropriate to put this information on display banners or point of sale information. Guidance for online sales does not apply to Sainsbury’s, since we do not sell any of the relevant products online anymore.

For Sainsbury’s this voluntary agreement affected five of our products, all of which were wired-in ceiling lights; as far as I am aware, we do not sell any other branded or non-branded wired-in electrical products.

For your information, attached is a copy of a product box from this current range (with the warning section on back of pack). The packaging for the rest of the range is also similar to this.

Turning now to answers to your specific questions;

1. Yes – the agreed wording is on all our relevant products.

2. Not applicable to Sainsbury’s – the guidance is included on the packaging of all our relevant products, which is five in all.

3. Sainsbury’s does not provide any specific staff training on this issue, and we are opposed to any such requirements being introduced. We believe that the current wording on our packaging provides clear and sufficient guidance to consumers. We would echo the comment of the BRC to you on this issue that staff training is not an effective solution to increase consumer awareness.

4. Not applicable to Sainsbury’s – we no longer sell any of the relevant products online (at the time of the original discussions with BRC, we only sold this category of products online. However, since then distribution has changed and we now only sell them in a limited number of stores).

5. Sainsbury’s uses various methods to gather customer views and insights. The committee would need to provide compelling evidence that more consumer research into electrical safety messaging will increase the low awareness cited in the Electrical Safety First report before we could consider surveying our customers about this.

6. Sainsbury’s believes that this voluntary arrangement through the BRC is working well, but we have no objection to standardisation in principle, as long as it does not require any redesign of current packaging, or compromise the effective sale of our products in any way.

I hope this response is helpful. I am aware that the BRC has offered to arrange a meeting with the committee to discuss these issues further. If you require, any further information on the issues raised in this response, please do not hesitate to contact me.

Best wishes

Mark
On behalf of Gillian Taylor, Head of Public Affairs

Mark Hoda | Public Affairs Adviser | Corporate Services
Sainsbury's Supermarkets Ltd | 33 Holborn | EC1N 2HT
This modern ceiling light comes with adjustable flex so you can vary the height for your room. Requires installation - full instructions included.

Requires wiring in to a suitable lighting point. For (skilled electrical) DIY installation or by a professional electrician. (except with low energy bulbs)
**Responses from Travis Perkins Group, dated 2 March 2015**

Your email has been forwarded on to me to provide an update on where we are on the BRC's voluntary agreement on the sale of electrical products.

The basis for the proposed wording on Electrical products was in part taken from wording Wickes were already using on their electrical products. At the end of 2013 Wickes were due to carry out a complete electrical range review which would have seen the packaging updated, unfortunately due to other circumstances this was cancelled and will be followed up in 2016.

It is Wickes' intention to update all new own brand products with the revised wording as it is introduced and review existing packaging as part of the range changes in 2016. As part of their range review process Wickes will review the customer communication messages and the use of "Electrical Safety First". Advise given to colleagues on how to follow up with customers is continually being reviewed, and will again be updated if required as part of the range review process.

Toolstation had requested in the letter to Clive Betts (copy attached) to be removed from the scheme as they target Trade customers and the vast majority of the products they sell are branded products and therefore harder for them to influence what the brands include on their packaging.

Regards

Stuart Croucher
Commercial Services Director
Group QA Director

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**Attached letter to the Chair re Toolstation, dated 22 June 2012**

Dear Mr Betts

Thank you for your letter of 13th June, concerning the above Report and the possibility of Toolstation implementing the Report's recommendation regarding the labelling of electrical equipment in DIY stores.

Toolstation is not a DIY store operator and has never promoted itself as such; our branches are all warehouse trade counters, invariably on industrial rather than retail parks and with no product being accessible to customers before purchase. The majority of product is not held in retail/display packaging and so there would be minimal scope for the addition of warnings without having to demand considerable changes to the packaging currently used by our suppliers.

Most of our sales are to professional tradespeople; I would estimate that our penetration into the UK DIY market to be considerably less than 1% and our impact on awareness would therefore be negligible.

At this stage, therefore, we do not intend to proceed with the addition of supplementary warnings to electrical equipment in our range.

Yours sincerely

Neil Carroll
Managing Director